

Tribe of Indians and the United States or any subsequent Act of Congress affecting said tribe, which claims have not heretofore been determined and adjudicated upon their merits by the Court of Claims or the Supreme Court of the United States.

Time for filing petition.

SEC. 2. The claims of said tribe shall be presented by petition, subject, however, to amendment at any time. The suit under this Act shall be instituted or petition filed in the Court of Claims within three years from the date of approval of this Act. Such suit shall make the Shoshone Tribe of Indians of the Wind River Reservation in Wyoming party plaintiff and the United States party defendant. The petition shall be verified upon information and belief by the attorney or attorneys employed by said tribe to prosecute said claims under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior. Letters, papers, documents, and public records, or certified copies thereof, bearing upon the claims presented, may be used in evidence; and the departments of Government shall give the attorney of said tribe access to any such letters, papers, documents, or public records and shall furnish certified copies of such thereof as may be deemed material.

Verification, etc.

Evidence admitted.

Counterclaims, etc., to be considered.

SEC. 3. In said suit the court shall also hear, examine, and adjudicate any claims which the United States may have against said tribe, but any payment, including gratuities which the United States may have made to said tribe, shall not operate as an estoppel, but may be pleaded as an offset in such suit: *Provided, however,* That the United States may interpose to such suit or action any and all pleas of defense, affirmative and negative, legal and equitable, which it may have thereto not herein specifically barred by the provisions of this Act. In reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Shoshone Indians in and to such money, lands, or other property.

*Provided,*  
Defenses not barred.

Decree to be in full settlement annulling all claims.

Attorneys fees to be included in decree.

SEC. 4. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorneys employed by said Shoshone Tribe of Indians, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribe.

Issue of process, etc.

SEC. 5. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to said suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 6. A copy of the petition in such suit shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States.

Amounts recovered to be deposited to credit of Indians.

SEC. 7. All amounts which may be found due and recovered for said tribe under the provisions of this Act, less attorneys' fees and expenses, shall be deposited in the Treasury of the United States to the credit of said tribe and shall draw interest at the rate of 4 per centum per annum from the date of the judgment or decree.

Interest allowed.

Approved, March 3, 1927.

March 3, 1927.  
[S. 2597.]

[Public, No. 706.]

CHAP. 303.—An Act Authorizing the President to appoint and retire certain persons first lieutenants in the Medical Corps, United States Army.

Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President*

is authorized to appoint any person retired under the last proviso of section 1, Chapter XVII, of the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, a first lieutenant, Medical Corps, United States Army, and to retire such person and place him on the retired list of the Army as a first lieutenant with the retired pay and allowances of that grade.

Medical Corps.  
Appointments of first lieutenants on retired list.  
Vol. 40, p. 889.

Approved, March 3, 1927.

**CHAP. 304.**—An Act To amend section 8 of the Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913.

March 3, 1927.

[S. 3408.]

[Public, No. 707.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8 of the Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913 (Thirty-seventh United States Statutes, page 974), be amended by adding a new paragraph, numbered 42a, to read as follows:

District of Columbia.  
Public Utilities Commission.  
Vol. 37, p. 984, amended.

"Par. 42a. That the expenses of any investigation, valuation, revaluation, or proceeding of any nature made by the Public Utilities Commission of any public utility operating in the District of Columbia shall be borne by the public utility investigated, valued, revalued, or otherwise as a special franchise tax in addition to all other taxes imposed by law, and such expenses with 6 per centum interest may be charged to operating expenses and amortized over such period as the Public Utilities Commission shall deem proper and be allowed for in the rates to be charged by such utility. When any such investigation, valuation, revaluation, or other proceeding is begun the said Public Utilities Commission may call upon the utility in question for the deposit of such reasonable sum or sums as, in the opinion of said commission, it may deem necessary from time to time until the said proceeding is completed, the money so paid to be deposited in the Treasury of the United States to the credit of the appropriation account known as "Miscellaneous trust fund deposit, District of Columbia" and to be disbursed in the manner provided for by law for other expenditures of the government of the District of Columbia, for such purposes as may be approved by the Public Utilities Commission. Any unexpended balance of such sum or sums so deposited shall be returned to the utility depositing the same: *Provided*, That the amount expended by the commission in any valuation or rate case shall not exceed one-half of 1 per centum of the existing valuation of the company investigated, and that the amount expended in all other investigations shall not exceed one-tenth of 1 per centum of the existing valuation for any one company for any one year.

Investigation, etc., expenses to be borne by utility affected.

A special franchise tax.

Deposit in miscellaneous trust fund account required.

Return of unexpended balance.

*Proviso.*  
Limit for expenses of valuation.

Approved, March 3, 1927.

**CHAP. 305.**—An Act To provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes.

March 3, 1927.

[S. 222.]

[Public, No. 708.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a viaduct and approaches to carry Michigan Avenue over the tracks and right of way of the Baltimore and Ohio Railroad Company in accordance with plans

District of Columbia.  
Viaduct directed for Michigan Avenue, over Baltimore and Ohio Railroad tracks.